

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

JUXTACOMM-TEXAS SOFTWARE, LLC

PLAINTIFF,

v.

AXWAY, INC., et al,

DEFENDANTS.

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Civil Action No. 6:10-CV-00011-LED

JURY DEMAND

**JOINT MOTION TO DISMISS**

Pursuant to Fed. R. Civ. P. 41(a)(2) and (c) and the *Stipulation in Support of Motion to Dismiss Defendant Ricoh Americas Corporation*, Plaintiff JuxtaComm-Texas Software, LLC (“JuxtaComm”) and Defendant Ricoh Americas Corporation (“RicoH”) hereby move this Court to dismiss in their entirety and with prejudice JuxtaComm’s claims against RicoH. JuxtaComm and RicoH further move this Court to dismiss in their entirety and without prejudice RicoH’s counterclaims against JuxtaComm. Each party shall bear its own costs, expense and attorneys’ fees.

Dated: November 10, 2011

Respectfully Submitted,

**Akin Gump Strauss Hauer & Feld LLP**

/s/ R. Laurence Macon (with permission)

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this Motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(b)(1). Pursuant to Fed. R. Civ. P. 5(a)-(d) and Local Rule CV-5(b)(2), all other counsel or record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 11th day of November 2011.

*/s/ Jonah D. Mitchell*

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